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IFW DAC \$

Attorney Docket 116.066

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Irving M. Fishman

Type or Print Name

Signature

October 31, 2007

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

LEMMENS, ET AL

SERIAL NO: 10/678,082

FILED: October 6, 2003

FOR: PAROXETINE COMPOSITIONS AND

PROCESSES FOR MAKING THE SAME

Prior Group Art Unit: 1614

Prior Examiner: Frederick Krass

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NOV 14 2007

OFFICE OF PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Correction of Status

To Large Entity

And

Submission of Balance Difference

between

Small Entity Fee and Large Entity Fee

Under 37 CFR 1.28 (c)(2)

11/09/2007 DALLEN 00000035 10678082

01 FC:1461

405.00 OP

Sir:

On August 31, 2007, JDS, the owner of the above-identified Application, was acquired by Noven Pharmaceuticals Inc. JDS was properly a Small Entity. After August 31, 2007, the undersigned filed an Amendment with a Request for Continued Prosecution (on October 15, 2007), asserted Small Entity Status and paid the Small Entity Fee of \$4050.00. On October 30, 2007, it came to the undersigned's attention that Noven Pharmaceuticals, Inc. does NOT qualify for Small

Entity Status. As such, Applicant now formally advises the Office that this Application no longer qualifies for Small entity Status and submits the difference between the Large Entity Fee that was due and the Small Entity Fees that was paid as set forth below.

Itemization of Deficiency Payment under 37 CFR 1.28(c)(2)(ii)

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OFFICE OF PETITIONS

(A) The fee erroneously paid as Small Entity Amounts were:

(i) Request for Continued Prosecution.

(B) The fee actually paid and When

(i) \$405.00 October 15, 2007

(C) The deficiency now owed

Large Entity Fee	-Small Entity Fee Paid	=	Deficiency now due
(i) \$810.00	- \$405.00	=	\$405.00

(D) Total Deficiency now due in this application (sum of amounts in third column of (C) above)

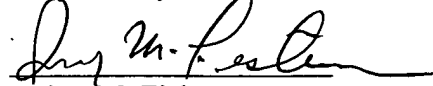
\$405.00

A check for \$405.00 is enclosed herewith.

Date: October 31, 2007

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New York, NY 10170
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Respectfully submitted,



Irving M. Fishman
Reg. No. 30,258
Attorney for Applicant